

082909 Spring Brook Watershed Lake Management District Annual Meeting Minutes

Call to order and Pledge of Allegiance: Chairman Doug Kincaid called the 2009 Annual Meeting to order at approximately 9:30 AM as posted and mailed out to all District Members according to Wisconsin State Statute Chapter 33. Everyone said the Pledge of Allegiance.

Board Members Present: Doug Kincaid, Greg McLain, Karen McNelly and Mike Samarzja. Peter Topczewski was excused.

District Members Present: Pat and Lisa Cairns, Doug Culbert, Frank Gaszak, Enno and Beata Gerbitz, Sue Kincaid, Bethany McLain, Jim McNelly, Rich and Pat Nowakowski, Nancy Pennebecker, Jim Pettey, Jann Samarzja.

Guests: Drake and Evelyn Reid, owners of the Saylesville Millpond Dam and guest speaker, Dr. Jeffrey Thornton, SEWRPC Principal Planner.

Chairman's Report: Doug Kincaid

Chairman's Report to the 2009 Annual Meeting 08/29/2009

"The following is a brief summary of some of the occurrences that took place that I believe are of interest to the members of the District:

1. There were 5 open meetings of the board in the past year plus the annual meeting. No Closed Meetings were held.
2. No work crews were active this year as we had contracted and paid Greg Goode to clear the dam in November 2008 and he may not have to do any more brush clearing till 2010 if necessary.
3. There have been beaver and possibly otter sighting on our lake. Apparently there are some beaver sightings also on Spring Lake as well.
4. The poison ivy that was located last year on the west side of the dam, seems to be eradicated.
5. Also some Purple Loose Strife was removed and sprayed around the lake in a few places over the last few years. It is still cropping up at different areas and must be monitored, identified, removed and treated properly to exterminate. Please keep a look out for the Poison ivy and Purple Loose Strife and help us remove, paint or spray it properly.
6. The Town has again helped us mow the dam 1 time down on both sides and I have mowed the top only one time this year. The grass on the top of the dam was very sparse this year and the weeds have taken over. Seems to be the geese that are probably causing the problem. We may have to bring in some top soil and seed the top of the dam at some point. Jim McNelly will mention later.
7. The board attempted to look at the process of lowering out dam insurance. We had 3 different insurers come to one of our Board meetings. To lower the cost of the insurance we were told by

Rob Krohlow of the Horton Group that we would have to get a lower dam rating which we can not get till a study down stream was done after the completion of a subdivision north of our dam was built. The cost of this could probably not be justified or recouped. Rob gave us a discounted rate. This rate is as good as we could obtain and still keep our present coverage.

8. Also thanks to Bethany Mc Lain, Pat Nowakowski and Jim McNelly for their work on the Audit Report this year. Also it is in order to thank both Karen and Jim McNelly for their endless work for the dam and district.

Doug Kincaid, Chairman”

Lake dam maintenance report and implementation discussion: Jim McNelly thanked Frank Gaszak for helping him do some work on the dike early in the spring. Again this year he asked for additional workers and said he was glad Greg was appointed to work on the dam. Greg joined Jim a couple of weeks ago to remove and paint herbicide on approximately 20 purple loose strife plants along the dike.

Greg noted that they also found an 8’ long by 6” deep muskrat run in the dam that had collapsed exposing a potential erosion area. This area should be repaired this fall. Greg has already contacted a representative from the City of Oconomowoc to determine if he can arrange for a truckload of clay fill. This clay material is needed to pack into the hole before the winter freezes and spring thaw cycle creates a more serious erosion problem. Jim and Greg will call a work crew to assist with the fill. They will also attempt to check out the condition of the weir if the water flow recedes.

Doug K. said he would repair or replace the sign and fencing around the weir as needed and noted that he had cut grass on the top of the dam once this summer and the Town had cut the sides. He also told everyone that the top of the dam needs a stronger grass cover as the geese and impaction are causing problems with the condition of the top of the dam. Jim M. noted this could be a serious source of erosion.

Pat Cairns asked about getting more trappers to deal with muskrat and beaver damage at the dam. Karen stated that the DNR Wardens would provide a list of contract nuisance animal trappers. Perhaps the district could find a trapper that would not charge if they were provided access to the dam. We should not have to pay anyone, but they will need to contact Doug to access the dam. Pat C. also noted that he had found a 50 gal. drum probably left by a raft that was on the lake in the 1970’s.

Secretary’s Report: Karen McNelly reviewed the September 6, 2008 Annual Meeting Minutes as mailed out to all members. Mike S. made a motion, seconded by Jim Pettey to approve the minutes. The motion carried unanimously.

Emergency Action Plan for the District: Karen had called DNR Dam Safety Engineer Michele Schneider last week and the EAP will not need to be re-done at this time.

Treasurer's Report: Mike Samarzja

Audit Committee Report: (See attached 2008 & 1st 6 months of the 2009 Audit Report) Bethany McLain & Pat Nowakowski performed the audit of the Spring Brook Watershed Lake Management District Books for 01/01/08 through 06/30/09 as required. Bethany reported that all of the Districts receipts and expenditures were in accordance with both of the 2008 and 2009 annual budgets that had been approved at the previous Annual Meetings. Jim P. made a motion, seconded by Frank G. to approve the audit report as presented. The motion carried unanimously.

Budget for 2010: (See attached adopted budget for 2010) Mike S. distributed a copy of the proposed budget which had been sent out with the agenda. The membership amended the following line items for the 2010 budget:

Insurance should remain at \$2,500.00. Last years actual expenditure was \$2,430.00.

Office Supplies should be \$50.00. Karen noted she would not exceed \$30.00 for the rest of 2009.

Wisconsin Assoc. of Lakes should be \$450.00. \$50.00 expended for dues only.

Legal fees should remain at \$500.00. No funds expended in 2008.

Lake Management Plan should remain at \$1.00. No funds expended in 2008.

Dam Maintenance funds should be approximately \$14,841.56.00 to cover repairs and future maintenance. But this total will be verified at the next regular Board meeting.

Land Acquisition should remain at \$2,200.00. No money had been expended since 1998 when we spent \$1.00 to acquire the dam, but this line item should remain.

Contingency Fund should continue to be \$300 – no funds expended in 2008.

Mike explained that with these amendments our tax levy would remain the same as the past 10 years at a constant \$4,250.00.

Doug K. made a motion, seconded by Rich N. to approve the 2010 budget as amended by the majority of the District Membership. The motion carried unanimously.

Review and approve the Resolution for the 2009 tax levy to operate the District business during 2010: Karen read the resolution. Pat N. made a motion seconded by Jim P. to adopt the 2009 tax levy of \$4,250.00 for the 2010 Budget year. The motion carried unanimously.

Nomination and Election: of one member to serve on the Board of Commissioners. Chairman Kincaid asked for volunteers or nominations to serve on the Board for a three-year term. Beata G. nominated Mike S. There were no other nominations. Jim M. made a motion, seconded by Bethany M. to approve Mike S. for three-year term to the Board of Commissioners. The motion carried unanimously.

2010 Annual Meeting: A tentative date of Saturday, August 28, 2010 was suggested for next year's Annual Meeting. This date may change at the discretion of the Board, but will meet Wisconsin State Statute Ch. 33 deadlines.

Water Quality and Lake Information for Willow and Spring Lakes Dr. Jeffrey Thornton, Principal Planner at Southeastern Regional Planning Commission highlighted the following information:

- State Law now requires the use of phosphorous-free fertilizer. There are a few farm or agricultural exceptions.
- State law now requires "Slow-no-wake" for motor boats (except personal water craft) when within 100' from shorelines on all lakes. Personal water craft still must be at slow-no-wake within 200' of shore. Local units of government may request an exemption from the DNR for the motor boat 100'restriction.
- An early spring catch and release season for bass in northern Wisconsin was established. This change does not change the fishing season on Willow Spring Lake. This northern Wisconsin catch and release season for bass allows anglers to fish for bass from the first Saturday in May to June 19 in a catch and release fashion. On June 20 the season reverts to a catch and keep bass season in northern Wisconsin.
- The Spring Lake Association is still working with the Town regarding a 24/7 'Slow-no-wake Ordinance' which was approved by the Town Board in May, but has not been enacted. The Town Chairman requested that this ordinance be reviewed by the Department of Natural Resources. Jeff noted that the DNR wardens have not supported the Ordinance. Karen commented that the Wardens could not endorse the Ordinance as they had not received enforcement requests and more restrictive ordinances are typically created when safety issues occur. Karen offered that erosion and water quality deterioration are the primary concerns expressed by the Spring Lake Association. Heidi Bunk, DNR, Lakes Specialist, stated at the May hearing that it is a fact that increased erosion and sedimentation and spreading of invasive species is caused by high speedboat traffic in sensitive areas on lakes. These are the biggest concerns of Spring Lake residents at this time. Spring Lake is one of two Outstanding Water Resource Waters in southeast Wisconsin. Jeff Thornton stated LuLu Lake in Walworth County is the second and it has a 24/7 slow no wake restriction.

Mike S. made a motion, seconded by Greg M. to send a letter to the Town of Mukwonago and the Spring Lake Association endorsing a "Slow-no-Wake" Ordinance as this will also help protect Willow Spring Lake and hopefully keep both lakes healthier. The motion carried.

Mike S. also asked what impact there could be on our lakes if the City of Waukesha installs a high capacity well in the Vernon Marsh. Jeff said they did not know. He encouraged the District that the question be included with future studies.

Evelyn Reid asked if both Great Lakes Water and Waukesha water would or could be used to mix with the City of Waukesha and Mukwonago existing wells? Jeff said possibly. We also need to watch where these municipalities will discharge their waters to assure that most of it remains in the watershed.

Nancy P. asked where zebra mussels and invasive species come from and what was the outcome of last years flooding in the area? The invasive species come from infected boats, birds transporting the eggs or plants, infected bait buckets and a variety of ways.

We thanked our guests for attending.

Everyone was invited to stay for refreshments and the Organizational Meeting to follow.

Adjournment: Greg M. made a motion seconded by Pat C. to adjourn at 11:50 AM. The motion carried unanimously.

Karen J. McNelly,
SBWLMD – Secretary

Date Approved _____